



**Minutes for Meeting of  
Thursday, May 27, 2004**

**Item-1: Call to Order.**

Chairwoman Dorothy Smith called the meeting to order at 5:00 p.m.

**Item-2: Roll Call.**

Present – Chairwoman Dorothy Smith, Vice Chairwoman April Riel, Commissioners Charles H. Dick, Jr., Karen Thomas-Stefano, and Larry S. Westfall.

Excused – Commissioners Dorothy Leonard and Greg Vega

**Item-3: Reporting Results of Closed Session.**

Chairwoman Smith reported the results of the Closed Session meeting of May 13, 2004.

**Item 1: Conference with Legal Counsel (3 Potential Matters)**

**Case No. 2004-15**

Motion: Initiate Investigation

Moved/Seconded: Leonard/Riel

Vote: Unanimous

Excused: Dick

**Case No. 2004-16**

Motion: Initiate Investigation

Moved/Seconded: Leonard/Vega

Vote: Unanimous

Excused: Dick

**Case No. 2004-17**

Motion: Initiate Investigation

Moved/Seconded: Vega/Riel

Vote: Unanimous

Excused: Dick

**Item 2: Conference with Legal Counsel (5 Potential Matters)**

**Case No. 2004-08**

Motion: Dismiss

Moved/Seconded: Westfall/Stefano

Vote: Unanimous

Excused: Dick

**Case No. 2004-10**

**Case No. 2004-11**

**Case No. 2004-12**

**Case No. 2004-13**

Status reports; no action.

**Item-4: Approval of Commission Minutes**

APPROVAL OF COMMISSION MINUTES OF MAY 13, 2004.

Motion: Approve

Moved/Seconded: Stefano/Riel

Vote: Unanimous

Excused: Leonard/Vega

**Item-5: Non-Agenda Public Comment.**

None.

**Item-6: Commissioner Comment.**

None.

**Item-7: Executive Director Comment.**

Executive Director Stacey Fulhorst reported the following:

1. DeeDee Alari has been hired to fill the position of Financial Auditor. She will start work on June 21, 2004.
2. New rules regarding disclosure of closed session matters being considered for Boards and Commissions. Staff will submit its concerns about the impact this could have on Ethics Commission investigations.

**Item-8: Deputy City Attorney Comment.**

None.

**Item-9: Proposed Establishment of Independent Legal Representation.**

Chairwoman Smith reported that she along with Commissioner Leonard and Executive Director Fulhorst met with City Attorney Casey Gwinn on the establishment on independent counsel for the Commission. She indicated Mr. Gwinn was in support of the proposal and would assist in preparation of the necessary ballot material.

Chairwoman Smith acknowledged former and current City Attorney staff for their support to the commission since its inception.

Director Fulhorst reviewed the schedule for placing the proposal on the November 2004 ballot. The ballot proposal will be docketed for the June 16, 2004, Rules Committee meeting.

Motion: Recommend independent legal counsel for Ethics Commission enforcement actions and legal opinions and to have this placed on the upcoming November ballot.

Moved/Seconded: Dick/Stefano

Vote: Unanimous

Excused: Leonard/Vega

**Item-10: Adjournment to Closed Session**

Chairwoman Dorothy Smith adjourned the meeting to Closed Session at approximately 5:30 p.m. She stated if the Commission took any action that must be reported pursuant to the Brown Act, the Commission would reconvene into Open Session to report on that action.

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Dorothy L. Smith, Chairwoman  
Ethics Commission

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Janet MacFarlane, Executive Secretary  
Ethics Commission

***THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.***